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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/876,916	06/08/2001	Adam Roach	040020-275	1115

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ERICSSON INC.  
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PLANO, TX 75024

EXAMINER
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BOUTAH, ALINA A

ART UNIT	PAPER NUMBER
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2143

DATE MAILED: 06/06/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

09/876,916

Applicant(s)

ROACH, ADAM

Examiner

Alina N Boutah

Art Unit

2143

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 21 March 2005.  
2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.  
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-27 is/are pending in the application.  
4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.  
5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.  
6) ☒ Claim(s) 1-27 is/are rejected.  
7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.  
8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.  
10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All b) ☐ Some \* c) ☐ None of:  
1. ☐ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)  
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)  
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.  
4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.  
5) ☐ Notice of Informal Patent Application (PTO-152)  
6) ☐ Other: \_\_\_\_\_.

## **DETAILED ACTION**

### ***Response to Amendment***

This action is in response to Applicant's amendment filed March 21, 2005. Claims 1-27 have been cancelled. Claims 28-40 have been newly added. Claims 28-40 are now pending in the present application.

### ***Drawings***

Figure 1 should be designated by a legend such as --Prior Art-- because only that which is old is illustrated. See MPEP § 608.02(g). Corrected drawings in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. The replacement sheet(s) should be labeled "Replacement Sheet" in the page header (as per 37 CFR 1.84(c)) so as not to obstruct any portion of the drawing figures. If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

### ***Claim Rejections - 35 USC § 112***

The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

Claims 32 and 38 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the enablement requirement. The claim(s) contains subject matter, which was not described

Art Unit: 2143

in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention. The specification does not define or disclose the use of a HTTP HEAD command as specified in the claims.

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claim 28-40 are rejected under 35 U.S.C. 103(a) as being unpatentable over Applicant's admitted prior art (hereinafter referred to as AAPR) in view of USPN 6,725,036 issued to Faccin et al. (hereinafter referred to as Faccin).

Regarding claim 28, AAPA teaches in a packet data network using session initiation protocol (SIP), a method of updating a user's service profile information in an associated call instance (CI) host, wherein the user is registered in a visited domain, the method comprising the steps of:

utilizing a SIP register message generated by the user's home subscriber service (HSS), via an associated profile database (PDB), to perform a registration request with an interrogating gateway (IGW) node associated with the user's home domain (figure 1);

Art Unit: 2143

determining a node in the network having knowledge that the user's profile information has been updated (table 1; 0011-0056); and retrieving the user's profile information update from the determined node (figure 1; table 1; 0011-0056).

However, AAPA does not teach bypassing a proxy associated with the visited domain. Faccin teaches bypassing a proxy associated with the visited domain (figure 1: case 1). At the time the invention was made, one of ordinary skill in the art would have been motivated to bypass a proxy associated with the visited domain in order to provide different types of connectivity, therefore making connections more flexible (col. 1, lines 12-22; col. 2, lines 19-27).

Regarding claim 29, AAPR teaches the method of claim 28, wherein the determined node is a call instance (CI) host associated with the HSS and the CI host (0056).

Regarding claim 30, AAPR teaches the method of claim 29, the CI host provide the user's service profile information by sending a HTTP message to the profile database (PDB) within the HSS in response to the REGISTER message and receiving in response to the HTTP message, the user's service profile information in a response message from the PDB (0008, 0056).

Claims 31-32 and 37-38 are rejected under 35 U.S.C. 103(a) as being unpatentable over AAPR in view of Faccin in further view of USPN 6,529,941 issued to Haley et al. (hereinafter referred to as Haley).

Art Unit: 2143

Regarding claim 31, AAPR fail explicitly teach the method of claim 30, wherein the response message is in one of: an extensible markup language (XML) document type definition (DTD) service-oriented profile, and XML DTD trigger-oriented profile, and an executable code format.

Haley teaches response messages being in an XML DTD form (col. 4, lines 3-9; col. 8, lines 34-47; col. 10, lines 48-54; col. 11, lines 20-22). At the time the invention was made, one of ordinary skill in the art would have been motivated to employ an XML DTD service-oriented profile because it allows the host to validate the response message, therefore ensuring communication security.

Regarding claim 32, although AAPR does not explicitly disclose the method of claim 31, wherein the HTTP message includes one of a HTTP GET command or a HTTP HEAD command, it is well known in the art that in order to retrieve information using this protocol, the HTTP message must include HTTP GET command.

Regarding claim 33, AAPR teaches the method of claim 28, wherein the node in the network with the user's profile information update is one of an operation and maintenance system node and an interactive voice response (IVR) node [0004].

Regarding claim 34, AAPR teaches the method of claim 28, further comprising the step of the HSS sending an SIP message to the IGW, the message including a service-transfer-

Art Unit: 2143

location header indicating in which domain a service is to be executed and a contact header indicating the call instance host (figure 1).

Regarding claim 35, this is similar to that disclosed in claim 28, therefore the rejection is made under the same rationale.

Regarding claim the system of claim 35, wherein the determined node is a call instance (CI) host associated with the HSS wherein the CI host provide the user's service profile information by sending a HTTP message to the PDB with the HSS and receiving the user's service profile information in a response message from the PDB (figure 1, 0008).

Claims 37-40 are similar to claims 31-34 therefore are rejected under the same rationale.

### ***Conclusion***

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37

Art Unit: 2143

CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Alina N. Boutah whose telephone number is 571-272-3908. The examiner can normally be reached on Monday-Friday (9:00 am - 5:00 pm).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David A. Wiley can be reached on 571-272-3923. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

*ANB*

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